

☒ Original☐ Duplicate Original

UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina



In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address)
 Property of 100 Stratford Lakes Drive, Unit 122,
 Durham, NC 27713

Case No. 1:20MJ 236 -1

WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search and seizure of the following person or property located in the Middle District of North Carolina
 (identify the person or describe the property to be searched and give its location):

the property located at 100 Stratford Lakes Drive, Unit 122, Durham, NC 27713, more particularly described in Attachment A of the affidavit.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

Evidence, fruits, and instrumentalities of violations 18 U.S.C. 2252, 2252A(a)(5)(B) and (b)(2), more specifically described in Attachment B of the affidavit.

YOU ARE COMMANDED to execute this warrant on or before August 27, 2020 (not to exceed 14 days)

☒ in the daytime 6:00 a.m. to 10:00 p.m. ☐ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Honorable Joi Elizabeth Peake
 (United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)


☐ for days (not to exceed 30) ☐ until, the facts justifying, the later specific date of

Date and time issued: August 13, 20202:17 AM


 Judge's signature

City and state: Winston-Salem, North Carolina

Joi Elizabeth Peake, U. S. Magistrate Judge
 Printed name and title

Return		
Case No.: 1:20MJ 236 -1	Date and time warrant executed: 8/25/20 at 0700 hours	Copy of warrant and inventory left with: Samantha Moore
Inventory made in the presence of: Samantha Moore		
Inventory of the property taken and name(s) of any person(s) seized:		
<ol style="list-style-type: none"> 1. Dell desktop XPS 2. Lenovo laptop 3. Lenovo laptop 4. SanDisk 4GB memory card 5. Seagate external hard drive 6. iBuy Power desktop 7. iPhone 4 8. Samsung Galaxy S4 9. Motorola phone 10. Hitachi hard drive 11. Next star 3 hard drive 12. SanDisk 32 GB 13. Wake Forest thumb drive 14. SanDisk Cruzer 8GB 15. My Passport hard drive 16. Seagate hard drive 17. Lenovo laptop 18. Miscellaneous chargers / cables <p style="margin-left: 20px;">_____ Nothing to follow _____</p>		
Certification		
<p>I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.</p>		
Date: 9/23/20	 _____ Executing officer's signature William D. Thompson / HSI Special Agent _____ Printed name and title	

ATTACHMENT A

DESCRIPTION OF LOCATIONS TO BE SEARCHED

The entire property located at 100 Stratford Lakes Drive, Unit 122, Durham, North Carolina 27713, including the residential building, any outbuildings, any appurtenances thereto (the SUBJECT PREMISES), the person of Samantha and Brian MOORE if located at the SUBJECT PREMISES at the time of the execution of the warrant, and the Honda Accord, assigned North Carolina license plate FAY5656, registered to Brian Moore at the SUBJECT PREMISES, if located at the SUBJECT PREMISES at the time of the execution of the warrant.

The SUBJECT PREMISES is a two (2) story single family townhome in a multi-unit townhome building within the Stratford Lakes Townhome community. The SUBJECT PREMISES has a stone and cream-colored façade with white trim and a shingled roof. The numerals 122 are posted on a column to the left of the residence's main door when approaching the townhome. Photographs of the SUBJECT PREMISES below:





ATTACHMENT B

ITEMS TO BE SEIZED

The following materials, which constitute evidence of the commission of a criminal offense, contraband, the fruits of crime, or property designed or intended for use or which is or has been used as the means of committing a criminal offense, namely violations of 18 U.S.C. §§ 2252 and 2252A:

1. Computers or storage media used as a means to commit the violations described above.
2. For any computer or storage medium whose seizure is otherwise authorized by this warrant, and any computer or storage medium that contains or in which are stored records or information that is otherwise called for by this warrant (hereinafter, "COMPUTER"):
 - a. evidence of who used, owned, or controlled the COMPUTER at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved user names and passwords, documents, browsing history, user profiles, email, email contacts, "chat," instant messaging logs, photographs, and correspondence;

- b. evidence of software that would allow others to control the
COMPUTER, such as viruses, Trojan horses, and other forms of
malicious software, as well as evidence of the presence or absence
of security software designed to detect malicious software;
- c. evidence of the lack of such malicious software;
- d. evidence indicating how and when the computer was accessed or
used to determine the chronological context of computer access,
use, and events relating to the crime(s) under investigation and
to the computer user;
- e. evidence indicating the computer user's knowledge and/or intent
as it relates to the crime(s) under investigation;
- f. evidence of the attachment to the COMPUTER of other storage
devices or similar containers for electronic evidence;
- g. evidence of programs (and associated data) that are designed to
eliminate data from the COMPUTER;
- h. evidence of the times the COMPUTER was used;
- i. passwords, encryption keys, and other access devices that may be
necessary to access the COMPUTER;

- j. documentation and manuals that may be necessary to access the COMPUTER or to conduct a forensic examination of the COMPUTER;
 - k. records of or information about Internet Protocol addresses used by the COMPUTER;
 - l. records of or information about the COMPUTER's Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses; and
 - m. contextual information necessary to understand the evidence described in this attachment.
- 3. Routers, modems, and network equipment used to connect computers to the Internet.
 - 4. Child pornography, as defined in 18 U.S.C. § 2256(8), visual depictions of minors engaging in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2), and child erotica.
 - 5. Records, information, and items relating to violations of the statutes described above including:

- a. Records, information, and items relating to the occupancy or ownership of the SUBJECT PREMISES, 100 Stratford Lakes Drive, Unit 122, Durham, North Carolina 27713, including utility and telephone bills, mail envelopes, or addressed correspondence;
- b. Records, information, and items relating to the ownership or use of computer equipment found in the above residence, including sales receipts, bills for Internet access, and handwritten notes;
- c. Records and information relating to the identity or location of the persons suspected of violating the statutes described above;
- d. Records and information relating to sexual exploitation of children, including correspondence and communications between users of child pornography and exploitation websites.

As used above, the terms "records" and "information" includes all forms of creation or storage, including any form of computer or electronic storage (such as hard disks or other media that can store data); any handmade form (such as writing); any mechanical form (such as printing or typing); and any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, or photocopies).

The term “computer” includes all types of electronic, magnetic, optical, electrochemical, or other high-speed data processing devices performing logical, arithmetic, or storage functions, including desktop computers, notebook computers, mobile phones, tablets, server computers, and network hardware.

The term “storage medium” includes any physical object upon which computer data can be recorded, including external and internal hard drives, flash drives, thumb drives, micro SD cards, macro SD cards, DVDs, gaming systems, SIM cards, cellular phones capable of storage, floppy disks, compact discs, magnetic tapes, memory cards, memory chips, and other magnetic or optical media.

During the execution of the search of the PREMISES described in Attachment A, law enforcement personnel are also specifically authorized to compel Samantha and Brian MOORE, if present at the time of the execution of the warrant, to provide biometric features, including pressing fingers (including thumbs) against and/or putting a face before the sensor, or any other security feature requiring biometric recognition, of:

- (a) any of the DEVICES found at the PREMISES, and

(b) where the DEVICES are limited to those which are capable of containing and reasonably could contain fruits, evidence, information, contraband, or instrumentalities of the offense(s) as described in the search warrant affidavit and warrant attachments,

for the purpose of attempting to unlock the DEVICES's security features in order to search the contents as authorized by this warrant, but only if Brian MOORE or Samantha MOORE are present at the premises at the time of execution and the process is carried out with dispatch in the immediate vicinity of the premises.

This warrant does not authorize law enforcement personnel to compel any ^{other} individuals found at the PREMISES to provide biometric features, as described in the preceding paragraph, to access or otherwise unlock any DEVICE. Further, this warrant does not authorize law enforcement personnel to request that any individuals present at the SUBJECT PREMISES state or otherwise provide the password or any other means that may be used to unlock or access the DEVICES, including by identifying the specific biometric characteristics (including the unique finger(s) or other physical features) that may be used to unlock or access the DEVICES.